

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**JAMES D. JOHNSON, as next friend to  
Olivia Y.; CARLA LEWIS, as next friend  
to Jamison J. and SYLVIA FORSTER, as  
next friend to Desiree, Renee, Tyson and  
Monique P.**

**PLAINTIFFS**

**VS.**

**CIVIL ACTION NO. 3:04CV251LN**

**HALEY BARBOUR; DONALD TAYLOR,  
as Executive Director of the Department of  
Human Services and BILLY MANGOLD,  
as Director of the Division of Family and  
Children's Services**

**DEFENDANTS**

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**ORDER**

This matter came before the court on the Defendants' Urgent and Necessitous Motion to Stay Proceedings due to State of Emergency Declared by the President of the United States of America. The basis of the Motion is the Defendants' request that this case be indefinitely stayed due to the disaster visited upon the State of Mississippi by Hurricane Katrina, as well as the extraordinary demands placed upon the Mississippi Department of Human Services by the needs of families affected by the storm. Under ordinary circumstances, the court would require a response before granting such a Motion; however, these are not ordinary times. Therefore, the Motion will be granted, but the stay will be in effect only forty-five days. At the conclusion of that time, the Defendants may request an extension of that stay. As this Order is being entered prior to the Plaintiffs' having an opportunity to respond, the court will revisit the terms of this stay, if necessary and appropriate, upon a request by the Plaintiffs. At the conclusion of the forty-five days, the

Defendants shall submit a Motion for a new Case Management Plan Order, which will then be entered by the court with deadlines extended commensurate with this stay

IT IS, THEREFORE, ORDERED that the Defendants' Urgent and Necessitous Motion to Stay Proceedings due to State of Emergency Declared by the President of the United States of America is hereby **granted**, and all deadlines previously set by the court are suspended until October 24, 2005.

IT IS FURTHER ORDERED that, on or before October 24, 2005, the Defendants shall submit a Motion for an Amended Case Management Plan Order.

IT IS SO ORDERED, this the 8<sup>th</sup> day of September, 2005.

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s/Alfred G. Nicols, Jr.  
UNITED STATES MAGISTRATE JUDGE